

**THE BALOCHISTAN PROVINCIAL COUNCIL  
ORDINANCE, 1980**

**(Baln Ordinance VII of 1980)**

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**<sup>1</sup>THE BALOCHISTAN<sup>2</sup> PROVINCIAL COUNCIL  
ORDINANCE, 1980**

**(Balochistan Ordinance VII of 1980)**

[26<sup>th</sup> April, 1980]

An Ordinance to provide for the constitution of the  
Provincial Council for the Province of Balochistan.

Preamble.

WHEREAS, it is expedient to provide for the constitution of Provincial Council for the Province of Balochistan;

AND WHEREAS, the Governor is satisfied that circumstances exist which render it necessary to take immediate action;

NOW, THEREFORE, in pursuance of the Proclamation of the 5<sup>th</sup> day of July, 1977<sup>3</sup>, read with the Laws (Continuance in Force) Order, 1977 (C.M.L.A. Order No.1 of 1977)<sup>4</sup> and in exercise of all powers enabling him in that behalf, the Governor of Balochistan is pleased to make and promulgate the following Ordinance: —

Short title, extent  
and  
commencement.

1. (1) This Ordinance may be called the Balochistan Provincial Council Ordinance, 1980.

(2) It extends to the whole of the Province of Balochistan.

(3) It shall come into force at once and shall be deemed to have taken effect from 10.4.1980.

Definitions.

2. (a) "Council" means the Balochistan Provincial Council constituted under Section 3 of the Ordinance;

(b) "Chairman" means Chairman of Provincial Council;

(c) "Division" means a Revenue Division;

(d) "Governor" means the Governor of Balochistan;

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<sup>1</sup> This Ordinance was promulgated by the Governor of Balochistan on 20<sup>th</sup> April, 1980; published in Balochistan Gazette (Extraordinary) No. 85, dated 26<sup>th</sup> April, 1980. Saved and validated by Article 270-A of the Constitution of the Islamic Republic of Pakistan (1973).

<sup>2</sup> Spelling of the word "Baluchistan", wherever it appears in this regulation, is corrected by insertion of letter "o" instead of "u"; as per Government of Balochistan, S&GAD's Notification No. SORI (4) 6/ S&GAD-89, dated 18<sup>th</sup> June, 1989.

<sup>3</sup> Proclamation of Martial Law, published in the Gazette of Pakistan, Extraordinary, Part I, dated 5<sup>th</sup> July, 1977.

<sup>4</sup> Chief Martial Law Administrator Order I of 1977, published in the Gazette of Pakistan, Extraordinary, Part I, dated 5<sup>th</sup> July, 1977.

- (e) "Government" means the Government of Balochistan;
- (f) "Member" means member elected or nominated for the Council;
- (g) "Ordinance" means the Balochistan Provincial Council Ordinance, 1980;
- (h) "Province" means the Province of Balochistan; *and*
- (i) "Secretary" means Secretary of the Council.

Constitution  
Composition.

3. (1) As soon as may be, a Provincial Council shall be constituted for the Province of Balochistan.

<sup>1</sup>[(2) The Council may consist of: —

- (i) All Mayors of Municipal Corporations;
- (ii) All Chairman, District Councils;
- (iii) All Chairman, Municipal Committees;
- (iv) One Chairman, Town Committee from each Division to be elected by all the Chairman to Town Committees in the Division;
- (v) One representative of minorities to be elected by all the Local Councillors belonging to the minorities in the Province;
- (vi) One representative of workers to be elected by all the Local Councillors representing the special interest group of workers in the Province;
- (vii) One woman representative from each Division to be elected by all the Local Councillors representing woman, in the Division;
- (viii) One peasant representative from each Division to be elected by the Local Councillors representing the special interest group of peasants;
- (ix) One representative of Trade and Industry

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<sup>1</sup> Substituted by Balochistan Ordinance II of 1984; published in the Balochistan Gazette (Extraordinary) dated 6<sup>th</sup> February, 1984.

to be elected by the Balochistan Chamber of Commerce and Industry;

- (x) One representative of Press to be elected by the members of Press representing newspapers and periodicals in Balochistan;
- (xi) One representative of private Medical Practitioners to be elected by the Pakistan Medical Association, Balochistan Branch;
- (xii) One representative of Advocates to be elected by the members of the Balochistan Bar Council;
- (xiii) One representative' of Sports Organizations to be elected by different Sports Organizations, registered with the Government of Balochistan;
- (xiv) Any other person nominated by the Governor.]

(3) The Governor shall be the Chairman of the Council.

(4) The Governor may increase or reduce the number of member of the Council.

Term of office. 4. The term of office of the Council shall be as fixed by the Government.

Resignation of members and casual vacancy. 5. (1) A member may at any time resign from membership by addressing a letter to the Governor and the resignation shall take effect from the date on which it is accepted by the Governor.

(2) A casual vacancy in the office of the member of the Council may be filled in as prescribed under the rules.

Reconstitution and dissolution of the Provincial Council. 6. (1) The Governor may at any time <sup>1</sup>dissolve or reconstitute the Council.

(2) The Governor may remove a member of the Council, on any of the following grounds: —

- (i) if he absents himself, without reasonable cause, from three consecutive meetings of

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<sup>1</sup> Balochistan Provincial Council dissolved by the Governor Balochistan with effect from 1<sup>st</sup> day of March, 1985; see Balochistan Gazette (Extraordinary) No. 82, dated 6<sup>th</sup> March, 1985.

the Council;

- (ii) if he acts in a manner prejudicial to the national interest;
- (iii) if he uses his position as a member to assist in furthering the cause of any Political Party;
- (iv) if he is guilty of abuse of power or misconduct [:]<sup>1</sup>

<sup>1</sup>[Provided that no order of removal shall be passed against any member unless he has been given opportunity of showing cause and of being heard.]

*Explanation: —* The term misconduct shall include bribery, corruption, robbery, favouritism or nepotism or any attempt at or abetment thereof.

Function of the Council.

7. (1) The functions of the Council shall be: —
- (a) to advise the Government on matters pertaining to Local Councils, Local Bodies and such other local authorities as may be prescribed;
  - (b) to advise on the co-ordination of the activities of Local Bodies and other authorities as aforesaid;
  - (c) to advise on grants to be made to such Councils, Bodies and authorities; *and*
  - (d) to undertake such other function as may be <sup>2</sup>[determined by the Chairman].

(2) The Council shall conduct its business in accordance with the rules.

Meetings.

8. (1) <sup>3</sup>[The Council shall ordinarily meet once in three months unless the period is extended by the Chairman.]
- (2) The meetings shall be held on such date and at such place and time as may be fixed by the Chairman.

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<sup>1</sup> Fullstop substituted by a colon and proviso added by Balochistan Ordinance XV of 1984; published in the Balochistan Gazette (Extraordinary) dated 18<sup>th</sup> December, 1984.

<sup>2</sup> Substituted for word "prescribed" by Balochistan Ordinance XV of 1980, taken effect from 20<sup>th</sup> April, 1980; published in the Balochistan Gazette (Extraordinary) No. 224, dated 30<sup>th</sup> October, 1980. Saved and Validated by Article 270-A of the Constitution of Islamic Republic of Pakistan, 1973.

<sup>3</sup> Substituted by Balochistan Ordinance, XVIII of 1980, taken effect from 20<sup>th</sup> April, 1980; published in the Balochistan Gazette (Extraordinary) No. 234, dated 6<sup>th</sup> December, 1980. Saved and Validated by Article 270-A of the Constitution of Islamic Republic of Pakistan, 1973.

(3) The meetings shall be presided over by the Chairman:

Provided that if the Chairman, for any reason, is unable to preside over the meeting of the Council, he may nominate any other person to preside over such meeting.

(4) The Chairman may at any time adjourn the meeting.

Appointment of  
Committees.

9. The Chairman may appoint any member of Committees to facilitate the performance of the functions of the Council and assign such functions as may be determined by the Chairman.

Secretariat of the  
Council.

10. The Secretariat of the Provincial Assembly of Balochistan will function as the Secretariat of the Council and the Secretary of the Balochistan Assembly will act as Secretary of the Council.

Framing of rules.

11. The Government may frame rules<sup>1</sup> for carrying out the purpose of this Ordinance.

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<sup>1</sup> For rules *see* "The Balochistan Provincial council Rules, 1980"; published in Balochistan Gazette (Extraordinary) No. 90, dated 30<sup>th</sup> April, 1980, and "The Representation of Women, Workers, Peasant and Minorities in the Provincial Council (Election) Rules, 1983"; published in Balochistan Gazette (Extraordinary) No. 25, dated 17<sup>th</sup> January, 1984.